

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

DIRECTV, Inc., a California corporation,

Civil File No. 04-3851 (RHK/AJB)

Plaintiff,

v.

ORDER FOR JUDGMENT
BY CONSENT

CARLOS L. MORGAN,

Defendant.

Before the Court is a Motion by Plaintiff for an Order entering Judgment upon Consent against Defendant Morgan. Attorney Henry M. Helgen, III has filed an Affidavit in Support of Motion. No response has been received by Defendant Carlos Morgan.

Plaintiff and Defendant Morgan entered into a Settlement Agreement in front of Magistrate Judge Boylan on October 7, 2004. Under the terms of the Settlement Agreement, Defendant Morgan agreed to pay, \$2,000.00 in two payments to DIRECTV, the first payment in the amount of One Thousand and No/100 Dollars paid by April 7, 2005, the second and final payment in the amount of One Thousand and No/100 Dollars paid by October 7, 2005. Defendant Morgan also executed a Consent to Judgment on November 2, 2004. As part of the Settlement Agreement, Defendant Morgan authorized Plaintiff to file with the Court the Consent to Judgment if Defendant failed to adhere to the payment plan.

Attorney Henry M. Helgen, III filed an affidavit asserting Defendant Morgan made no payments under the payment plan. Mr. Helgen has contacted Mr. Morgan and demanded payment by letter, dated April 19, 2005. He also maintains that Defendant Morgan has not followed up. Further, Defendant Morgan has received a copy of this

motion for entry of judgment upon consent and affidavit by Henry Helgen and Defendant Morgan's attorney has not responded or disputed Plaintiff's claims.

Based upon the foregoing, Plaintiff's Motion for entry upon Judgment by Consent against Defendant Morgan is **GRANTED. IT IS HEREBY ORDERED** that Judgment be entered against Defendant Morgan in the amount of \$2,000.00, as Defendant Morgan consented to the entry of amount of judgment for a material breach of Paragraph 1 of the Settlement Agreement and Release.

Dated: 5/25/05

s/Richard H. Kyle
RICHARD H. KYLE
United States District Judge